

**THE COMMITTEE ON LAND USE AND HOUSING
OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO**

**ACTIONS FOR
WEDNESDAY, AUGUST 9, 2006, AT 2:00 P.M.**

**COUNCIL COMMITTEE ROOM (12TH FLOOR), CITY ADMINISTRATION
BUILDING
202 C STREET, SAN DIEGO, CALIFORNIA**

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NON-AGENDA PUBLIC COMMENT: Reginald Finch, on behalf of the San Diego Flight Museum, thanked Chair Madaffer for his efforts, emails and his service to the community. Mr. Finch asked for the Land Use and Housing Committee's support and asked the Real Estate Asset's leasing staff to work with them until they find a viable solution on a lease for the Flight museum.

COMMITTEE COMMENT: None.

CITY ATTORNEY, IBA, AND MAYORAL STAFF COMMENT: None.

CONSENT AGENDA

Approval of the Record of Action Items for July 19, 2006.

ACTION: Motion by Councilmember Hueso, second by Chair Madaffer, to approve.

VOTE: 4-0; Madaffer-yea, Faulconer-yea, Atkins-yea, Hueso-yea

ITEM-1: Report from the City Planning and Community Investment Department on the MIRA MESA PUBLIC FACILITIES FINANCING PLAN.

(See Report to City Council 06-116; Draft FY2007 Mira Mesa Public Facilities Financing Plan (PFFP) and Facilities Benefit Assessment (FBA).

ACTION: Motion by Councilmember Hueso, second by Chair Madaffer, to adopt staff's recommendation.

VOTE: 4-0; Madaffer-yea, Faulconer-yea, Atkins-yea, Hueso-yea

Note: At the request of Council District 1, Item-2 has been pulled from the

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- ITEM-2: agenda and is anticipated to be re-docketed in September 2006.
Report from the City Planning and Community Investment Department on the
TORREY HIGHLANDS PUBLIC FACILITIES FINANCING PLAN.

ADOPTION AGENDA

- ITEM-3: Report from the Development Services Department, Neighborhood Code
Compliance Division, and the Community and Economic Development
Department, regarding PROPOSED AMENDMENTS TO THE NEWSRACK
ORDINANCE.

(See Report to City Council 06-115; Strikeout/Underlined Ordinance O-2007-24).

ACTION: Motion by Councilmember Faulconer, second by Councilmember
Atkins, to adopt the following amendments to the ordinance:

- 1) Section 62.1002(e): Definition of newsrack Strike out the word “single publication,” and include “...sale, or distribution of any publication listed in the permit.”
- 2) Section 62.1002(g): Change to read: “Permittee means the person or entity designated on the permit as responsible for the newsrack.”
- 3) Section 62.1004(h): Change “regularly” to continuously maintained.
- 4) Section 62.1004(h): Add the following language: “A maintenance log documenting inspection of each newsrack covered under this ordinance shall be maintained by each owner and available for inspection upon request of the City.”
- 5) Section 62.1006(b): Change to read: “Newsracks shall be placed no closer than six (6) inches from the roadway edge of any curb painted red.”
- 6) Section 62.1006(d): Change to read: “Except as stated in Section 62.1006(b), newsracks located adjacent to the curb...”
- 7) Section 62.1009(e): Strike the last sentence which reads: “The permit review period may be extended if additional information is necessary or special conditions are placed on the permit by the City.”
- 8) Section 62.1016: Correction of Minor Violations. Include the following language at the end of the sentence: “...violations easily curable on the spot without the use of any tools or moving the newsrack.”
- 9) Section 62.1017: Public Nuisance. Include the following language to the end of the last sentence: “No minor violation...on the spot without the use of any tools or moving the newsrack shall constitute a public nuisance...”
- 10) Section 62.1018: Abandonment. Change the last sentence to read: “...deemed abandoned for 60 continuous calendar days.”

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Direct staff to return to the Land Use and Housing Committee for review twelve (12) months following the adoption of the ordinance and refer Attachment 6 of the Report to City Council No. 06-115 to the Independent Budget Analyst for review.

VOTE: 4-0; Madaffer-yea, Faulconer-yea, Atkins-yea, Hueso-yea

ITEM-4: Report from the Independent Budget Analyst on REDEVELOPMENT RESTRUCTURING.

(See IBA Report 06-31)

ACTION: Approved by common consent.

Jim Madaffer
Chair